



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,674	08/19/2003	Suong-Hyu Hyon	1736-000001/REB	5762
27572 7590 04/07/2010 HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 828 BLOOMFIELD HILLS, MI 48303				
EXAMINER				
BERMAN, SUSAN W				
ART UNIT		PAPER NUMBER		
1796				
MAIL DATE		DELIVERY MODE		
04/07/2010		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Advisory Action**  
**After the Filing of an Appeal Brief**

<b>Application No.</b>	<b>Applicant(s)</b>	
10/643,674	HYON ET AL.	
<b>Examiner</b>	<b>Art Unit</b>	
/Susan W. Berman/	1796	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

The reply filed 01 March 2010 is acknowledged.

1. ☐ The reply filed on or after the date of filing of an appeal brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will not be entered because:

a. ☐ The amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).

b. ☐ The affidavit or other evidence is not timely filed before the filing of an appeal brief.  
See 37 CFR 41.33(d)(2).

2. ☐ The reply is not entered because it was not filed within the two month time period set forth in 37 CFR 41.39(b), 41.50(a)(2), or 41.50(b) (whichever is appropriate). Extensions of time under 37 CFR 1.136(a) are not available.

Note: This paragraph is for a reply filed in response to one of the following: (a) an examiner's answer that includes a new ground of rejection (37 CFR 41.39(a)(2)); (b) a supplemental examiner's answer written in response to a remand by the Board of Patent Appeals and Interferences for further consideration of rejection (37 CFR 41.50(a)(2)); or (c) a Board of Patent Appeals and Interferences decision that includes a new ground of rejection (37 CFR 41.50(b)).

3. ☒ The reply is entered. An explanation of the status of the claims after entry is below or attached.

4. ☒ Other:

Claims 40, 41, 43, 45-53, 84, 85, 87, 89-97 and 99-101 are rejected under 35 USC 251 as being an improper recapture of broadened subject matter surrendered in the application for the patent upon which the present reissue is based.

Claims 40, 41, 43, 45-53, 84, 85, 87, 89-97 and 99-101 are rejected under 35 USC 103(a) over US 5,030,402 in view of US 3,866,056.

Applicant has requested an oral hearing before the Board of Patent Appeals and Interferences

/Susan W Berman/  
Primary Examiner  
Art Unit: 1796